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U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte RANJIT J. ROZARIO and RAVIKRISHNA CHERUKURI

Application No. 09/740,669

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on September 24, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

Appellant filed an Appeal Brief *via* facsimile on April 2, 2004 (Paper No. 11). We note that the filing fee for the Brief has not been charged as required by 37 CFR § 1.192(a). The cover sheet of the facsimile states that it was "accompanied by the required fee".

Accordingly, it is

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ORDERED that the application is being returned to the Examiner for:

- (1) the examiner to have the matter of payment of the Appeal Brief filing fee corrected as required,
- (2) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

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KJ/vsh  
RA05-0042